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CLIFTON A. LAKE

February 7, 1986

Mr. Mark A. Haney  
Manager, Facilities Compliance Unit  
Compliance Monitoring Section  
Division of Land Pollution Control  
Illinois Environmental Protection Agency  
2200 Churchill Road  
Springfield, IL 62706

Re: 0316500003-Cook County, Chicago/Sherwin-Williams Company Subpart F  
Groundwater Monitoring

Dear Mr. Haney:

This letter responds to your letter of January 29, 1986, addressed jointly to The Sherwin-Williams Company and "PMC Enterprises" [properly, PMC Specialties Group, Inc.] concerning the wastewater equalization basins located at the Sherwin-Williams plant site at 11541 South Champlain, Chicago, Illinois. Your letter requests that Sherwin-Williams and/or PMC continue groundwater monitoring of these facilities, which you have referred to as "surface impoundments," in accordance with 35 Ill.Adm.Code Part 725, Subpart F, until USEPA concurs with the Agency's June 4, 1985, determination that the wastewater equalization basins are not RCRA-regulated surface impoundments.

Subsequent to your letter, as I am sure you are aware, USEPA published final rulemaking at 51 Fed.Reg. 3778 (January 30, 1986), which conferred final authorization under §3006 of RCRA on the State of Illinois to operate Illinois' hazardous waste program in lieu of the federal hazardous waste program. The legal consequence of this action is that all decisions with respect to Sherwin-Williams' and/or PMC's obligations under RCRA (except those which arise under the 1984 RCRA Amendments) will be made by the Agency rather than USEPA. USEPA has informally advised Sherwin-Williams and PMC that it will take no further action with respect to the parties' August 30, 1985, jointly filed withdrawal from interim

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